

The future of multilateralism in Asia

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The Future of Multilateralism in Asia

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“Northeast Asian states seem incapable of overcoming the divides of history, historical memory, culture, language, virulent nationalisms, and political and economic systems. At a political level, there is no multilateral alternative; bilateralism, though flawed and imperfect, is the only feasible option.”¹

I. Introduction

The beginning of the six-party talks dealing with North Korea’s nuclear weapon program and the U.S. offer of multilateral “*security guarantees*” to North Korea in October not only opened new positive perspectives for a peaceful settlement, but also the hope of the South Korean government that the six-party framework can evolve into a permanent multilateral security forum for Northeast Asia after the nuclear crisis is resolved.² Greater regional cooperation in Northeast Asia can become a unified political and economic community comparable to Europe or North America. The perspectives may be better than ever given the fact that China, Japan, and South Korea also agreed at a three-way summit in Indonesia in October to deepen their ties and consider a regional free-trade pact. However, the resolution of the nuclear crisis is seen as an important prerequisite for the future stability in North East Asia, for a nuclear armed North Korea could draw Japan and China into a regional arms race due to their lingering hostilities and historical mistrust. Yet, in recent months, China has played an unprecedented pro-active role in addressing the North Korean nuclear problems in ways widely consistent with U.S. security interests in the region and beyond.

¹ Paul Evans/Akiko Fukushima, “Northeast Asia’s Future Security Framework: Beyond Bilateralism?” *NIRA Review*, Vol. 6, No. 3 (Summer 1999), pp. 31-35 (32).

While the trilateral co-ordination process among the U.S., Japan, and South Korea is producing positive results, and Asian countries taking part at new joint naval exercises under the framework of the new multilateral Proliferation Security Initiative (PSI), a new “win-win-situation” is emerging for the region and the U.S.: “Washington has good relations with China while maintaining strong ties with Japan.”³

Indeed, the U.S.-Japanese security alliance is in a much better shape than any other time. However, North Korea’s nuclear ambitions are also complicating the relationships between other Northeast Asian powers, such as the already difficult Sino-Japanese relationship. As the result of the unresolved crisis on the Korean peninsula, Japan is not only fastening the pace of its TMD program, but has even warned that it would launch a preemptive military strike against North Korea if it had firm evidence that Pyongyang was planning a missile attack.⁴ Japan’s defense minister Shigeru Ishiba even calls for acquiring Tomahawk long-range cruise missiles for these contingencies. The defense minister has initiated far-reaching changes (such as buying mid-air refueling tankers which can extend the range of its fighter aircraft into North Korea) in the Japanese defense policies. These changes heightened the already deep-rooted mistrust in Beijing about the future directions of Japan’s foreign and security policies (such as breaking the “nuclear taboo” in its society). Consequently, a continuing “muddle-through” strategy based on the current stalemate “neither peace nor war” of the present nuclear crisis may have further negative impacts on regional stability in general and the Sino-Japanese relationship in particular. According to South Korea’s Defense Ministry, today more than 50 percent of potential proliferators of weapons of mass destruction at the global level are situated in the Asia-Pacific region. Seven out of 17 countries with nuclear weapons or weapon programs world-wide are in the Asia-Pacific; 16 out of 28 states

² See Andrew Ward, *Financial Times*, November 3, 2003, p. 7.

³ Victor Cha, “A Multilateral Deal for N Korea,” *Financial times*, October 22, 2003, p. 19.

with missile programs are in the region; 10 out of 16 countries with chemical weapons are in the Asia-Pacific; 8 out of 13 states with biological weapons programs are in the region.⁵ It reflects both the potential security threats and the arms build-up in the region.

Against this background, in order to increase trust and confidence among the regional states new multilateral security cooperation is much needed in Northeast Asia. Until today, Northeast Asia has been notable for its lack of an institutionalized mechanism for a regional or sub-regional security dialogue. Even though the fate of the economic powers and of the established polities of Japan, South Korea, and China is intertwined through geographical vicinity with that of North Korea as one of the poorest countries in the world, Northeast Asia as a politically highly unstable region has no comparable regional security framework, such as the North Atlantic Treaty Organization (NATO) or the Organization for Security and Cooperation in Europe (OSCE). Even in Southeast Asia, regional security forums on “Track One” and “Track Two” have become an important instrument for strengthening trust and confidence among its members primarily through confidence and security-building measures since 1993-1994. Although Northeast Asian states, such as China, South Korea, and Japan are members of the ASEAN Regional Forum (ARF) – the “Track One” security forum – and despite the fact that the continuing crisis on the Korean Peninsula has always been on the agenda of the ARF and the Council for Security Cooperation in Asia Pacific (CSCAP), the most important “Track Two” institution in Asia-Pacific, many regional security experts have also favored a specific sub-regional security institution for Northeast Asia which has been often perceived as one of the most unstable and potential dangerous hot spots in the world.⁶

⁴ See “Japan Threatens Force against N Korea,” *BBC-News*, February 13, 2003.

⁵ See Major General Kim Kook Hun, director of the arms control bureau in South Korea’s Defense Ministry – quoted in Michael Richardson, *International Herald Tribune*, June 6, 2002, p. 5.

⁶ To the various forms of multilateral, bilateral, and multilateral security cooperations in Asia-Pacific, and specifically to the involvement of the ARF, see Frank Umbach, *Kooperation oder Konflikt in Asien-Pazifik? Chinas Einbindung in regionale Sicherheitsstrukturen und die*

Given the overall importance of the present and future roles of the U.S. in East Asia, and specifically in North East Asia and the Korean peninsula, the following analysis will first analyze the foreign and security strategies of the Bush Administration in general. Second, the analysis will look for some concrete perspectives for a peaceful solution of the nuclear crisis on the Korean peninsula within the framework of the six-party. In this light, I hope to answer the question of how realistic and useful a multilateral security institution is for regional stability in the near- and long-term future in (North) East Asia, and what kind of a multilateral security institution (integration degree) one can expect.

II. Shifting U.S. Foreign, Security, and Defense Policies under the Bush Administration⁷

“The *Bush* administration’s new security strategy reflects an extraordinarily unbalanced approach to dealing with the threats posed by terrorism, asymmetric warfare and the proliferation of weapons of mass destruction. The value of deterrence is downgraded, while preemption is elevated from a military option to a doctrine. Little help is expected from diplomacy, treaties, cooperative threat-reduction initiatives such as the *Nunn-Lugar* program, export controls and international institutions. Just one sparse sentence in this 31-page document is devoted to the need to ‘enhance’ these instruments, which have been central to the efforts of previous administra-

AU.S.wirkungen für Europa (Cooperation or Conflict in Asia-Pacific. China’s Tying into Regional Security Structures and the Implications for Europe) (Munich: Oldenbourg Verlag, 2002), p. 395.

⁷ This chapter is partly based on a previous paper by the author – see Frank Umbach, “U.S.-Foreign and Security Policy of the Bush Administration: Unilateralism, Bilateralism, Multilateralism or Minilateralism vis-à-vis North Korea and its Nuclear Ambitions?” Asia-Pacific Security Forum 2002: “Asian-Pacific Security Environment: Emerging Realities,” co-sponsored by Institute for National Policy Research (INPR, Taiwan), The Pacific Forum CSIS (Hawaii, U.S.A), In-

tions. This skewed approach is unwise, dangerous and extremely burdensome on the U.S. armed forces.”⁸

“The national security doctrine issued on Sept. 20 packs into just 34 pages everything the foreign policy of the 1990s lacked. ... It is, in short, a bold — and mostly brilliant — synthesis that conceivably could cause its author, national security adviser Condoleezza Rice, to be remembered as the policymaker who defined a new era.”⁹

The U.S. foreign and security policies in Asia as well as in Europe have always been a mix of unilateralism, bilateralism, minilateralism and multilateralism. Their concrete mix and outcome depend on external factors and circumstances as well as on domestic policy factors and “ideological” foundations.

During the Cold War, U.S. policy towards Asia was determined by the global security challenge and rivalry with the Soviet Union. During that time, Asian states had to take sides, some even changed sides, and others adopted varying degrees of neutrality. The present security challenge for Asia is rather different: how to navigate between the U.S. as the only superpower in the world and “benign hegemon,” and the People’s Republic China as a perceived rising great power which may fundamentally change the balance of forces in the region with wide-ranging implications for the rest of Asia and on the global scale.

There is no doubt that a number of Asian nations benefited from U.S. military protection, politically as well as economically. Even today, they benefit from America’s concentration on the security of Persian/Arabian Gulf oil supplies. Although in the 1990s some Asian governments were often diplomatically reticent about stating their support for America’s

stitute for Strategic and Development Studies (Manila, Philippines) and the Institut Francais des Relations Internationales (IFRI, Paris/France) in Hawaii, November 9-10, 2002.

⁸ Michael Krepon, “Weakening the anti-proliferation fight,” *International Herald Tribune*, February 10, 2002, p. 8.

⁹ Jackson Diehl, “Rice produces a brilliant synthesis,” *International Herald Tribune*, January 10, 2002, p. 6.

military presence in the Asia-Pacific, any discussions that U.S. policy could reduce its military commitments would have been viewed with alarm. In many Asian views, any reduction in U.S. commitment would mean a commensurate increase in China's power and influence. Hence, U.S. military power in this region had been seen as a necessary counter-balance to China's ability to assert its national interests, especially Beijing's claims to Taiwan and a considerably larger Economic Exclusive Zone (EEZ) in the South China Sea by many Asian nations.

With the new Bush Administration in power, the Asian (as well as European) views of U.S. foreign and security policies shifted once again towards increasing concerns of U.S. unilateralism and its hawkish diplomacies particularly vis-à-vis China and North Korea at a time when four new multilateral security dialogues were established in Asia.¹⁰

These perceived historic shifts in U.S. foreign and security policies also include a move from a multilateral Cold War reliance on deterrence and arms control to a new unilateral approach, which accepts not just preemptive attacks (as it is often found in the international press) — as outlined in the new “National Security Strategy of the United States” of September 2002¹¹ — but also preventive attacks as a way to defend U.S. interests. European and Asian politicians also fear that Washington will focus on solving international problems through its overwhelming military superiority rather than through more painstaking and time-consuming diplomatic means. In addition, Asian security experts are also concerned about a Chinese-U.S. war that could be triggered by a clash over Taiwan. Indeed, during the last years, the Taiwan conflict seemed to have replaced even the Korean peninsula as the most dangerous hotspot in the Asia-Pacific despite the continuing crisis of KEDO, ongoing North Korean missile exports and its arms build-up at the border to its southern brother state. There are also fears that the U.S. BMD

¹⁰ See Ralph Cossa, “Asian multilateralism takes on new energy,” *The Japan Times*, July 30, 2002.

plans will fuel China's own missile and nuclear weapon programs beyond merely deploying more systems that are modern. Such a development may compel India, followed by Pakistan, to increase their nuclear arsenal. However, some of those concerns are overstated.

Already at the beginning of the year 2001, President George W. Bush declared North Korea, Iran, and Iraq as an "axis of evil," warning that their acquisitions of the means to deliver weapons of mass destruction (WMD) represent a clear and present danger to the world community. Furthermore, he declared that all three states are sponsors of terrorism. This demands the need to halt their drive to boost their military potential — a task which became even more urgent for the new administration after the 9/11 events of 2001.

As the Quadrennial Defense Review Report (QDR), published on September 30, 2001, indicated for the first time since the end of World War II, the future focus of U.S. security and defense policy will no longer be Europe but Asia-Pacific.¹² The QDR also confirmed the policies of the Bush Administration to enhance the security and military relations with its formal and informal Asian allies, such as Japan, South Korea, Taiwan, the Philippines, Thailand, Singapore, and Australia. At the same time, the Pentagon revised its traditional strategy to fight and win two major regional conflicts (2MRC) of the Desert Storm type more or less simultaneously to a *de facto* One-and-a-Half-War-Strategy. The QDR also introduced a distinction between "defeating attacks" in two theatres simultaneously and "decisively defeating an adversary" that would require the capability for only one theatre. While at a first glance this action means a shortening of the former 2MRC strategy, it would overlook the sentence that a decisive defeat could include changing the regime of an adversary state or occupation of foreign territory until U.S.

¹¹ President of the United States George W. Bush, "The National Security Strategy of the United States of America," *Washington D.C.*, September 17, 2002.

¹² Department of Defense, "Quadrennial Defense Review Report," *Washington D.C.*, September 30, 2001.

strategic objectives are met.” This, indeed, represents more demanding military capabilities than those articulated in the former 2MRC doctrine.

The Nuclear Posture Review (NPR)¹³, delivered to the U.S. *Congress* in January 2002 and explained to the public in March of the same year, calls for a draft of contingency plans for the use of nuclear weapons against at least seven countries, naming the “axis of evil” — Iraq, Iran, and North Korea, but also Libya and Syria, and even Russia and China. To some extent, the NPR 2002 also reverses an almost two-decade-long trend of relegating nuclear weapons to the category of weapons of last resort and redefines nuclear requirements in post-9/11 terms. In the same month, President Bush stated: “In preventing the spread of weapons of mass destruction, there is no margin for error and no chance to learn from mistakes. Our coalition mU.S.t act deliberately, but inaction is not an option. Men with no respect for life mU.S.t never be allowed to control the ultimate instruments of death.”¹⁴

Despite the focus of the Bush Administration on the Taiwan Strait conflict before 9/11, North Korea was also singled out as one of the most dangerous threats to U.S. security, not only because of its own continuing missile program, which in its current two-stage configuration might be capable of striking Alaska, Hawaii and parts of the continental U.S., but, also because of its missile exports and technology transfers to South Asia and the Middle East. On October 4, 2002, North Korea surprisingly admitted that it is still conducting a nuclear weapons program despite the Geneva 1994 Agreed Framework and the KEDO program to build two light-water reactors in North Korea as a compensation for giving up its former nuclear weapons program. Since the “*mother of all confessions*” (which was made public to the world by the U.S. on October 16), Pyongyang still aggressively defends its stance, raising concerns in the re-

¹³ Department of Defense, “Nuclear Posture Review Report 2002,” (Washington D.C.: Department of Defense, 2002), here “Excerpts,” <<http://www.globalsecurity.org/wmd/library/policy/dod/npr.html>> (Search date: February 3, 2004).

gion and beyond that North Korea is becoming the next target of the U.S. war on terrorism, its sponsors and WMD. So far, however, the Bush Administration has declared that it would not resort to military means as in the Iraq case but rather diplomatic instruments. Is that different policy towards North Korea a result of the pragmatic recognition that Washington cannot open a fourth front (after Afghanistan, Southeast Asia, and Iraq) of military operations? Or, are there indeed also other reasons for why the Bush Administration follows a different approach towards North Korea?

1. Revolution in Military Affairs (RMA)

Since the beginning of the 1990s in the aftermath of the second Gulf-war, a Revolution in Military Affairs (RMA) has taken place. It is particularly driven by the U.S., especially by the interaction of the Pentagon planners, the military/industrial complex, and the high technology. With a massive investment in new precision weaponry, supported by detection, reconnaissance and command, control, communication, computer and information systems (C⁴I), Washington hopes to be successful in any wars without suffering heavy casualties. Meanwhile, the Pentagon's budget is equal to the combined military budgets of the next 12-15 countries – accounting for 40-45 per cent of the entire defense spending of the world's 189 states. The U.S. is currently consuming the equivalent of the UK's annual defense budget every 37 days and of France's every 25 days.¹⁵ Pentagon's research and development budget alone may even make as much as 70-80% of all the global defense-related R&D¹⁶, out-

¹⁴ *Agence France-presse*, March 13, 2002.

¹⁵ See Edward Foster, et. al., "How to Make Friends and Influence People," *Jane's Defence Weekly*, September 11, 2002, pp. 24-33 (33).

¹⁶ See also Paul Kennedy, "Power and terror," *Financial Times*, September 3, 2002, p. 12.

pace not just Germany's entire defense budget, but also the entire NATO R&D investment budget.

However, the 9/11 events challenged many underlying traditional assumptions of the Pentagon's contingency planning and its related R&D investment. The war in Afghanistan and the fight against international terrorism is no longer based primarily on a process of state-controlled violence that emerged centuries ago. Paul Kennedy, for instance, warns:

“Yet, ironically, in today's fractured, war-torn, neo-medieval world it is quite inadequate to guarantee lasting peace and security, even in the homeland itself, let alone in the protection of US interests abroad.”¹⁷

Yet, as American military might and technological reach grow to new capabilities, any conventional warfare against the U.S. or its coalition becomes tantamount to self-annihilation. Because of that fact, the tendencies to new and even more dangerous forms of asymmetric warfare will increase, particularly using WMD. In the future, given the rising importance of transnational organizations and non-state actors, much greater emphasis on urban warfare, special operations and paramilitary forces – coupled with increasing threats of WMD by “rogue states” and terrorists” — needs to be included into any future contingency planning.

At the same time, the NPR from January 2002 envisages the promotion of tactical and so-called “adaptive” nuclear capabilities to deal with contingencies where large nuclear arsenals are not demanded. Consequently, the Pentagon seeks a host of new weapons and support systems, including conventional military and cyber warfare capabilities integrated into nuclear warfare if necessary. Thereby, the new warfare strategies combine precision-strike weapons, long-range strikes, and special as well as covert operations. Envisioning that nuclear weapons “could be

¹⁷ *Ibid.*

employed against targets able to withstand non-nuclear attack” or in retaliation for the use of WMD (a sentence which is not new but in continuation since the second Gulf-war), or “in the event of surprising military developments,” the NPR has, to some extent, lowered the nuclear threshold by raising the likelihood of a nuclear war-fighting doctrine in order to enhance a deterrence effect on the sides of rogue states. However, the increased likelihood of a nuclear war-fighting doctrine does not necessarily and automatically contradict the traditional understanding of weapons of last resort given the need of enhancing the credibility of the own use of nuclear weapons to strengthen the deterrence effect on an aggressor side. Ultimately, deterrence always requires both the right specter of nuclear weapons to be used and the expressed willingness to use them. Hence, many critics of the NPR overstate the document by arguing that the Bush Administration is making a radical and dangerous shift to a nuclear first-strike policy.¹⁸ Pentagon’s plans to build nuclear weapons expressly for an attack on a rogue state threatening the U.S. and other with its own WMD undermines the credibility of the pledge underpinning the NPT not to threaten a country with no nuclear weapons. This problem is not new but inherent since the adoption of the NPT in 1968.

It is also fair to remark that Europe’s absence from the debate on Iraq for many years and its inadequate defense spending as well as the lack of a real Common Foreign and Security Policy (CFSP) and common European Security and Defense Policy (ESDP) have strengthened U.S. unilateralism in the last years. More than ten years after the Maastricht Treaty, which declared the initiation of the CFSP, and four years after the Helsinki Declaration of the EU, calling for an ESDP and the strengthening of the European pillar of NATO, both policies remain incoherent and considerably underfunded at a time when the NATO and EU enlargements are already underway, and when both organizations are

¹⁸ See also John H. Cushman Jr., “Rattling new Sabers,” *The New York Times*, March 10, 2002.

occupied with those extension policies and their related problems. As a result, under the roof of NATO as a multilateral security and defense organization, an European and transatlantic re-bilateralization of foreign, security and defense policies is underway due to U.S. unilateral tendencies and the European lack and unwillingness to implement a real and credible CFSP and ESDP as well as to recognize global security responsibilities.

2. Rising Differences in Worldviews in the U.S., Europe, and Asia

To some extent, there is similarity between European and Asian security debates in the 1990s and their focus on multilateral security institutions and pre-existing agendas. Both foreign and security elites have often focused on the principles and institutions of cooperative policies, rather than on the substance of those policies and the resources needed to implement them. In this light, the new Iraq conflict does not seem to be the real root but rather the result of a deepening transatlantic and transpacific conflicts with their different underlying security and threat perceptions as well as assumptions of the international system — particularly with regards to a common understanding about the use of force among the U.S. and its European and Asian allies. Some commentators, such as Francis Fukuyama, see the concept of “the West” challenged and no longer relevant as well as appropriate for understanding present international relations.¹⁹

However, at the same time, it is also fair to conclude that almost all foreign and security issues are a matter of conflict and debates within the Bush Administration itself – mostly between the State Department and the Pentagon representatives. In addition, one can also state that the

ideological right in the U.S. does not represent the views of most Americans. By contrast, the majority in the U.S. is reluctant to go to war without international backing, especially from its European and Asian allies. Nonetheless, anti-Americanism is spreading even among moderate Muslims in South and South-East Asia as well as in the Middle East because of U.S. unconditional support of Israel, and a unilateral military invasion of Iraq.

Undoubtedly, the 9/11 attacks carried out by militant Muslims, and the subsequent counter-terrorist campaigns in Afghanistan, Pakistan, and the Middle East changed the political world. The specter of nuclear, radiological, chemical, and biological weapons by international terrorists raised security concerns in Europe and Asia alike. The new U.S. security policies have also questioned to what extent the U.S. and its European and Asian allies share common values and interests in the future. In many ways, the foreign and security policies of the Bush administration revealed fundamental and deep-seated differences of worldview and have often polarized global opinion. By declaring to wage an open-ended war against international terrorism, the new Bush doctrine has yet to define conditions for "victory." Steven Everts of the Center for European Reform, for instance, remarks: "It gets close to saying: 'if the only instrument you have is a hammer, all your problems look like nails.'"²⁰

Furthermore, many countries, such as Russia, China or the Central Asian states instrumentalized the "*war on terrorism*" in order to meet their own domestic objectives, such as fighting irredentist or separatist movements at home or suppressing minorities or dissident political groups. The current debates on unilateral versus multilateral or minilateral approaches towards statecraft cut to the heart of the role of international law. U.S. government opposition to the establishment of the permanent International Criminal Court in The Hague is one of the manifes-

¹⁹ Francis Fukuyama, "Das Ende des Westens," *Die Welt*, September 3, 2002.

tations of the divide between the U.S. and its European and many of its Asian allies.

On the other hand, the U.S.-Russian and U.S.-Chinese relations are better than ever. However, one should not disregard that in both countries the foreign and security policy elites are very suspicious of the U.S. long-term interests and strategies framed in the fight against international terrorism. Both elites are very concerned or at least ambivalent about U.S. military bases in Central Asia and enhancing military ties with its allies as well as other states in East, South-East, and South-Asia, despite the fact that Russia and China fight their own civil wars against Islamic threats in the Caucasus and Xinjiang region.

3. The Discussion of Preemptive Strikes

Already in June 2002, in an address to the West Point military academy President George W. Bush announced that the United States could not let its enemies strike first. The unveiled new National Security Strategy (NSS) — the first comprehensive explanation of the Bush administration's foreign policy — on September 20, 2002 declared the support of human dignity, democracy, and freedom of conscience as the key goals of an overall U.S. strategy that puts counter-terrorism at the center of the security policy. In the view of many commentators, the NSS defines the Cold War doctrines of deterrence and containment as virtually obsolete. This interpretation needs to be challenged when one reads the entire document carefully.

However, the proclaimed need for preemptive military action indicates a wider interpretation of "*preemptive*" strikes beyond the traditional standard of imminent threat that opens the door to the possibility

²⁰ Charles Recknagel, "U.S./EU: As Congress Debates Iraq, Europeans See Growing American Unilateralism," *Radio Free Europe/ Radio Liberty Analyses*, October 3, 2002.

of preventive strikes and wars. This new emphasis on preemption provoked considerable criticism, though it is often misplaced that criticism is based on the NSS. Unlike many international press reports (which often repeat many interpretations and comments instead of relying on a careful analysis and entire reading of the document itself), the NSS did not abandon deterrence or did not make preemption the main focus of the document or the entire U.S. security and defense policy. Indeed, the document even acknowledges that preemption will not be the appropriate strategy to counter all emerging threats. The NSS discusses preemption rather exclusively in the context of how to deal with “terrorists of global reach” and “rogue states.” This document is based on the correct conclusion that deterrence and threats of retaliation will not work towards international terrorists who proclaim a holy war against the West and who are willing to sacrifice themselves. In this regard, the argument of the NSR is persuasive in many respects.

However, the main conclusions of the NSS are also based on the assumption that the spread of sensitive technologies and WMD cannot be stopped, and that it is real and no longer just a hypothetical, theoretical, and distant assumption. Yet, the NSR does not offer any specification what form preemption may take in a concrete threat scenario. Attacking other states simply on the suspicion that they might one day in the future try to attack the United States — which is basically a preventive and not a preemptive strategy — raises fundamental questions with regards to the entire international system and international law. In this context, it is also necessary to remember that already the Clinton government justified the cruise missile attacks on targets in Afghanistan and Sudan on preventive grounds in 1998. Given the number of practical political and military difficulties inherent in a concept of preemption to adopt, one has to be skeptical of the fact that preemption will become the overriding principle and guiding concept for defining the future U.S. foreign, security, and defense policies. Moreover, the risks of a preemption concept may indeed increase the dangers of unintended consequences, such as

long-term campaigns and contradict what the NSR envisions: "The reasons for our actions will be clear, the force measured, and the cause just." However, in general, I agree with those U.S. experts who have pointed out that the U.S. strategy of preemption does not imply that America will suddenly launch military strikes whenever and wherever with no warning in advance. As Richard Haas, head of the Planning Staff of the State Department has recently concluded in a broader context: "Counterterrorism, by contrast, is a priority, not an organizing principle for American foreign policy."²¹ However, not all experts and officials in the Pentagon might share this opinion.

4. The Lack of Multilateral Security Institutions in (North) East Asia and the Policies of the Bush Administration

"The fundamental security challenge in the Asia-Pacific region is to transform the balance-of-power approach proposed by those who advocate a multipolar global power structure into one that instead aims to produce security communities in which disputes are not resolved by threats or the employment of force. The process will be one of building bilateral security relationships to form a web of regional relationships and capabilities that reinforce security for individual states, discouraging armed aggression as a way of settling disputes, and developing habits of regional military cooperation and professional military behavior."²²

While many academic experts see multilateralism as the order of the day in East Asia, the Bush Administration has been accused of focusing on unilateral foreign and security strategies in which multilateral security institutions play a minor role. Although since the mid-1990s the Clinton government strengthened its support for multi-regionalism and

²¹ Stephen Fidler, *Financial Times*, September 21-22, 2002, p. 5.

²² See the former commander-in-chief of the U.S. Pacific Command Admiral Dennis C. Blair and John T. Hanley, "From Wheels to Webs: Reconstructing Asia-Pacific Security Arrangements," *Washington Quarterly* (Winter 2001), pp. 7-17 (15 f.).

regional security institutions, such as the ARF and CSCAP²³, it never seriously contemplated about a sub-regional security institution for North East Asia. From the very beginning, the Bush Administration has been even more skeptical of the usefulness of multilateralism for U.S. national security interests and has focused on its ever growing military superiority as its primary instrument of national security policies. The shifts in U.S. strategies during the last years, combined with a perceived lack of diplomatic pro-activity, caused alarm and mistrust in Washington's policies in Europe and Asia alike. By rather neglecting diplomatic instruments and channels, those tendencies and shifts in the U.S. foreign and security policies in favor of unilateralism, hegemony, or even an "*American empire*" have also been criticized by many U.S. experts and commentators. Leon Fuerth, former national security adviser to Vice President Al Gore, for instance, criticized the Bush Administration in September 2002:

"... it is not surprising that from time to time senior Japanese officials release trial balloons about a nuclear option. The policies and attitudes of the United States under the *Bush* Administration tend to make the problems of both these alliances [in Europe and in Asia] substantially worse. The United States is at present deconstructing its alliances. Unilateralism, triumphalism, exceptionalism and, often, simple arrogance now mark Washington's approach. It demonstrates by word and by deed that allies and alliances do not matter enough to constrain it. And, each time it does this, it advances toward the culmination of a self-fulfilling prophecy. America will end up operating alone in the world. The *Bush* administration aims to fundamentally alter foreign policy. What is to be abandoned is the goal of a world system based on multilateral institutions, underwritten by security alliances anchored in the United States. In place of these things, what is intended is a world order serving U.S. interests, based on U.S. military and economic primacy, although to

²³ *Ibid.*

the maximum extent possible avoiding American engagement in long-range tasks.”²⁴

Historically, too, multilateralism in East Asia never became such a prominent organizing principle for U.S. foreign and security policies as in Europe.²⁵ Similar ideational factors, such as shared Western and European democratic cultures for constructing a more robust regional identity have never existed in East Asia comparable with Europe. Nor were the strategic interests of all players in East Asia to tie the United States to East Asia on a long-term basis so strong as in Western Europe. Moreover, national security cultures in East Asia were far more diverse and many Asian states were or some even still fear a re-emergence of Japan as an “imperialist power” (such as China and South Korea) which all hinder the constitutive processes very much needed for the creation or recreation of collective regional identities. In general, the “weakness of identification with Asia and the belief that the Asian countries belonged to a different and inferior political community led to a U.S. preference for bilateralism in Asia” as a new analysis in the summer 2002 concluded by comparing U.S. security policies in Europe and Asia after 1945.²⁶ Against this background, this analysis explaining why the U.S. preferred multilateral organizing principles in Europe and bilateral ones in Asia also points out that:

²⁴ Leon Fuerth, “A second-generation alliance system,” *International Herald Tribune*, September 12, 2002, p. 4.

²⁵ On the background see also Joern Dosch, “Asia-Pacific Multilateralism and the Role of the United States,” in Joern Dosch and Manfred Mols (eds.), *International Relations in the Asia-Pacific. New Patterns of Power, Interest, and Cooperation* (Hamburg: Lit-Verlag, 2000) and (New York: St. Martins press, 2000), pp. 87-110, and idem, *Die Herausforderung des Multilateralismus U.S.: Amerikanische Asien-Pazifik-Politik nach dem Kalten Krieg (The Challenge of Multilateralism. American Asia-Pacific Policies after the Cold War)*, (Baden-Baden: Nomos, 2002)

²⁶ Christopher Hemmer and Peter J. Katzenstein, “Why is There No NATO in Asia? Collective Identity, Regionalism, and the Origins of Multilateralism,” *International Organization*, Vol. 56, No. 3 (Summer 2002), pp. 575-607 (598).

“Instead of fully embracing multilateralism and a common Asian-Pacific identity, the United States has limited its actions to calls for increased multilateral cooperation among the states of Asia while the United States pursues what the U.S. ambassador to South Korea calls an ‘enriched bilateralism.’ While there is much talk of the common interests the United States has with other Asian states, the United States is still far embracing an identity as a member of the Asian-Pacific community similar to its membership in the North Atlantic community that would be needed to sustain a multilateral commitment.”²⁷

Instead of applying multilateral frameworks in Northeast Asia, the security framework of Northeast Asia was built on bilateral alliances between the United States with Japan and South Korea as well as “concerted bilateral” diplomatic arrangements for state-to-state communication and negotiation. Neither political integration nor the idea that peace can be built and guaranteed by democratic regimes throughout the region were accepted as alternative forms of a regional security order. Only “Track Two” processes, involving government officials in their private capacities together with academic experts, journalists, and others were initiated:

- The Canadian initiated North Pacific Co-operative Security Dialogue involving participants from eight countries (Canada, China, Japan, North and South Korea, Mongolia, Russia, and the U.S.);
- The Northeast Asia C-operation Dialogue, initiated in October 1993 by the University of California’s Institute on Global Conflict and Cooperation (IGCC) with experts from the U.S., China, Japan, South Korea, Russia, but not North Korea;

²⁷ *Ibid.*, p. 602.

- North Pacific Working Group of CSCAP, co-chaired by Canada and Japan, which also includes some of the ASEAN countries as well as academic experts from Taiwan; and
- More than sixty programs of bilateral, trilateral, and quadrilateral track-two meetings in Northeast Asia and North Pacific.²⁸

In general, all these multilateral dialogue frameworks and even the ARF only slowly developed a shared understanding of basic concepts and the needed habits as well as customs of consultation. Moreover, all these discussions focused hitherto primarily on threat perceptions and confidence-building measures rather than on concrete management of regional security challenges. Yet, even those track-two processes and their constrained security agendas have not been transformed entirely into formal governmental ones due to key countries and their unwillingness or hesitance to do so. Furthermore, although they enhanced state-to-state relations, state building, and elite interaction, and helped to create “epistemic communities” (transnational networks of Academic experts, diplomats, and higher-ranked officers), they did not contribute significantly to the creation of civil societies in a broader sense neither at the domestic nor at the regional level.

Today, for Washington, even NATO in Europe seemed to have played a marginal role only. The alliance had been weakened by Washington’s preference of “coalitions of the willing” rather than seeking a common sense and developing joint security strategies within the entire organization. In Northeast Asia, too, there is increasing concern about whether the U.S. is a strategic partner capable of playing the multiplicity of diplomatic roles and developing adequate and sophisticated strategies which the difficult relationships among the states require in the region. Against this background of shifting U.S. foreign, security, and defense

²⁸ See Paul Evans and Akiko Fukushima, *op. cit.*, p. 33.

policies with more unilateralist tendencies but not disregarding bilateral, minilateral or multilateral approaches when they seem appropriate and useful for U.S. national security interests, North Korea (after Iraq) has meanwhile become another test case for the policy shifts in Washington.

III. North Korea's Nuclear Ambitions and the Implications of Pyongyang's Confession for U.S.- Foreign and Security Policies

1. The October 1994 Agreed Framework and KEDO²⁹

The October 1994 Agreed Framework provides the establishment of a multinational consortium which will finance and supply North Korea with two light water reactors (LWRs) originally by the target 2003. In return, North Korea agreed to freeze its nuclear program immediately; it pledged not to refuel its Yongbyon reactor; it undertook to halt construction of another reactor at that site and of another one at Taechon; and it agreed to seal the Yongbyon plutonium separation plant and the fabrication plant at the site, and to leave the spent fuel discharged from the smaller reactor in June 1994 in storage without plutonium separation. To

²⁹ The following analysis is based, inter alia, on former publications by the author – see Frank Umbach, *Cooperation or Conflict in Asia-Pacific?*, *op. cit.*, p. 285 ff.; idem, “Strategic Trends of Global Denuclearization and Nuclearization - Implications for Japan's Security Policies, Regional Stability and the TMD-Debate in East Asia,” *Hiroshima Peace Science*, No. 27, (April 2001), pp. 63-118.; idem, “Nuclear Proliferation Challenges in East Asia and Prospects for Cooperation - A View from Europe,” in Kurt W. Radtke and Raymond Feddema (eds.), *Comprehensive Security in Asia. Views from Asia and the West on a Changing Security Environment and Their Implications for Europe* (Leiden/Boston/Cologne: Brill 2000), pp. 66-133 (91 ff.); idem., “Nuclear Energy Issues – Global Dimensions and Security Challenges,” in Bruno Tertrais (ed.), *Nuclear Issues in the Post-September 11 Era* (Paris: Fondation pour la Recherche Stratégique, 2003), pp. 25-46.

offset the energy deficit which North Korea claimed it would face by the freezing of its reactors and related facilities, the U.S. was to arrange to deliver to North Korea heavy oil for heating and electricity production “that will reach a rate of 500,000 tons annually.” This grant of heavy oil would stop with the completion of the first LWR.

Furthermore, the Agreed Framework also provided steps toward the normalization of relations between North Korea and the U.S. The Framework paved the way for U.S. assurances against the threat or use of nuclear weapons against the North, and for a North Korean commitment to implement the 1991-92 North-South Declaration on the De-Nuclearization of the Korean Peninsula. For the first time, North Korea also agreed to allow *IAEA* inspection of the two undeclared waste sites, which helped to reveal some of the history of its past plutonium production to a certain extent.

As a byproduct of the agreement, the construction of the LWRs required hundreds of South Korean engineers, technicians, and laborers to work, to live, and to socialize in the North for a decade. This step would, as the West hoped, improve the chances for more normal relations between Pyongyang and Seoul and lift, at least partially, the veil of secrecy surrounding the North. In this light, KEDO is seen as the first multilateral security institution (albeit for specific purposes), whereas the Agreed Framework of 1994 could be considered as the centerpiece of a broader diplomatic effort made by the U.S. and the international community to integrate the DPRK into the world community and restrain North Korea’s “rogue” behavior through systematic engagement. However, the Agreed Framework does not provide a framework for North Korea’s ballistic missile development, deployment, tests, and exports.

Until the confession in October 2002, Pyongyang has continued to observe the October 1994 Agreed Framework and a moratorium on missile launches as it negotiates with the U.S., South Korea, and Japan. At the same time, however, North Korea has continued its missile development short of test launches (indeed, it has only suspended testing of

long-range ballistic missiles), and has sold missiles as well as missile technology to customers around the globe. But those ballistic missile developments and exports have security implications for South Asia, the Middle East, and even for Europe as well as the U.S.³⁰

When North Korea tested its Taepo-Dong-I missile over Japan at the end of August 1998 while constructing a suspicious underground site, it threatened the Agreed Framework and thus the entire KEDO-process aimed at discouraging nuclear proliferation on the Korean Peninsula. The discovered secret proliferation network among North Korea, Pakistan, and Iran explains why these three countries Pyongyang have made such substantial progress in their missile development and, perhaps, even their nuclear weapons programs.

North Korea's nuclear and missile blackmail strategies, including the refusal of giving international inspectors full access to its nuclear sites; the country's continued missile and technology exports to Pakistan and Iran; the launch of a Taepo-Dong-I on 31 August 1998; and revelations of a vast underground facility under construction which U.S. intelligence sources identified as the site of a reactor or reprocessing plant led to calls for a comprehensive re-evaluation of U.S. policies towards North Korea. Hence, Pyongyang's policies of blackmail undermined the October 1994 Agreed Framework and thus called into question the KEDO-process for freezing the DPRK's plutonium program.

In early 1998, North Korea warned Washington that it would abandon the *Agreed Framework* if the U.S. failed to implement its part of the deal, namely the timely shipping of heavy fuel to the DPRK. Following intensive discussions with Washington and Seoul in October 1998, Tokyo stopped withholding the \$ 1 billion it had earlier pledged to KEDO for the construction of two light-water reactors in North Korea. How-

³⁰ See also Frank Umbach, "World Gets Wise to Pyongyang's Nuclear Blackmail – Part One," *Jane's Intelligence Review* (September 1999), pp. 33-36; "Part Two," *ibid.*, (October 1999), pp. 35-39.

ever, no short-term solution could be found for either the nuclear program or the missile problem.

By October 2002, when North Korea confessed to have had a parallel Uranium-program since at least 1997, the Agreed Framework only stopped the production of plutonium at the Yongbyon Atomic Energy Research Center. Whether that meant halting or severely curtailing North Korea's nuclear weapons program became increasingly questionable. The discovery of a secret underground facility in 1998 – presumably to be Used for nuclear purposes in violation of the 1994 agreement – by U.S. intelligence satellites once again raised international concerns that Pyongyang was hiding an active and advancing nuclear weapons program. Furthermore, the realization of the fact that the Agreed Framework cannot stop North Korea's ballistic missile programs has aggravated the crisis since 1998.

Given that North Korea views its missile capability as its last trump card when trying to entice Washington into negotiations over the withdrawal of U.S. forces from South Korea, future prospects of the Agreed Framework at first glance appeared to be rather poor. Furthermore, the DPRK was suspected of producing sufficient plutonium to construct 2-6 bombs. With continued submarine and special forces incursions into the South, ongoing tunneling under the Demilitarized Zone (DMZ), and several preparations for new missile tests under way since late 1998, the present situation on the Korean peninsula seemed just as tense as it was before the signing of the Agreed Framework in 2000/2001.

Against this background, a growing number of U.S. experts and politicians called for a fundamental diplomatic review in a broader context of arms control measures to be applied to the Korean peninsula. Even those experts who still favored continuing with rather than abandoning the Agreed Framework, argued in favor of a "new deal" incorporating "new issues of concern by supplementing it (the Agreed Framework) with new and more comprehensive commitments," for otherwise it could be impossible to save it. What was indeed lacking in U.S. policies to-

wards North Korea was a comprehensive, long-term strategy that creates a common framework for Agreed Framework/KEDO issues, U.S.-DPRK missile talks, and related initiatives.

Furthermore, according to the accord, the inspection of the two undeclared sites had been postponed for an extended period (four to six years), creating a special safeguard status for North Korea. The inspection problems for verification of North Korea's past weapons program and an indication for ongoing research of nuclear weaponry had never been solved effectively until Pyongyang's confession. The IAEA, for instance, had been allowed to conduct routine and *ad hoc* inspection of "unfrozen" nuclear facilities but not of the reprocessing plant. Moreover, the IAEA could only measure but not analyze the spent fuel. Many suspicious underground facilities could not be inspected until today because of a failing comprehensive and effective inspection regime. Hence, a considerable part of North Korea's previous nuclear weapon program and many nuclear facilities have remained unmonitored since the signing of the Agreed Framework in October 1994. According to IAEA inspectors, the information and access provided by Pyongyang had been insufficient which would allow to get a complete picture of the North Korean nuclear weapons program.

Therefore, other countries and many foreign experts (particularly in the U.S. Congress) remained suspicious about whether North Korea had really stopped working not only on the development of nuclear but also of biological and chemical weapons (the latter are not covered by the Agreed Framework; North Korea is a party to the Biological Weapons Convention/BWC, but not to the Chemical Weapons Convention/CWC). Although the May 1999 Kumchang-ri³¹ inspection carried out by fifteen U.S. experts under the direction of former secretary of defense Dr. William Perry, for instance, did not produce evidence for the previous or in-

tended production of weapons-grade plutonium or reprocessing activities³², the site could support the respective facilities in the future if substantially modified according to the Perry-report.

Furthermore, even though the U.S. State Department had initially insisted on the promised food aid project with 100,000 tons for the famine-hit North Korea to be a separate matter and that no quid pro quo deal had been signed, later, however, it became known that the U.S. indeed agreed to pay a 'visit fee' only for the suspiciously expected underground facility. Hardly surprising, the new 'food for access'-agreement could not satisfy many critical voices in the U.S. Congress which dismissed Clinton's engagement policy towards North Korea as 'appeasement.' In the view of those critics, the 'potato diplomacy' could have only strengthened North Korea's blackmail policies towards the U.S., South Korea, and Japan. After more than six months which passed since the first suspicious over the site emerged, North Korea had enough time to clear that facility and to move its suspected nuclear weapons program to another underground facility which was not covered by the Agreed Framework.

Against the background of the failing achievements of the Agreed Framework and the KEDO program, the Australian expert Andrew Mack reminds U.S. in October 2002:

"The critics were right — it was an unfortunate agreement and it created a worrying precedent. But it was also the best deal that could have been negotiated at the time. It avoided war and stopped a nuclear weapons program that, within a very few years, would have produced enough surplus fissile material

³¹ On *Kumchang-ri* and other nuclear facilities in North Korea see in particular Joseph S. Bermudez Jr., "Exposing North Korea's Secret Nuclear Infrastructure — Part One," *Jane's Intelligence Review* (July 1999), pp. 36-41; "Part Two," *ibid.*, (August 1999).

³² The team was permitted to measure all underground areas and to take soil and water samples.

for the cash-stripped North Koreans to export to other pariah states – like Iraq.”³³

IV. Prospects for a Peaceful Settlement of the Nuclear Crisis on the Korean Peninsula and the Implications for Future Multilateralism in Northeast Asia

“Its reckless political, economic and military pressure is most seriously threatening the DPRK’s right to existence, creating a grave situation on the Korean Peninsula. Nobody would be so naïve as to think that the DPRK would sit idle under such situation. That was why the DPRK made itself very clear to the special envoy of the US president that the DPRK was entitled to possess not only nuclear weapons but any type of weapon ... to defend its sovereignty and right to existence from the ever-growing nuclear threat by the US. The DPRK has neither need nor duty to explain something to the US, seeking to attack it if it refuses to disarm itself. Nevertheless, the DPRK, with greatest magnanimity, clarified that it was ready to seek a negotiated settlement of this issue”³⁴

“This approach to nuclear proliferation challenges many of the stereotypes of the Bush administration’s ‘unilateralist’ foreign policy. But it has also angered conservatives at the heart of the administration, exposing the limits of

³³ Andrew Mack, “A huge Headache for Washington,” *International Herald Tribune*, October 24, 2002, p. 4.

³⁴ See the official comment by North Korea – see Korean Central News Agency of DPRK, “Conclusion of Non-Aggression Treaty between DPRK and U.S. Called for Pyongyang,” October 25, 2002, here following *NAPSNET-Daily Report*, October 25, 2002.

Washington's ability to halt the spread of weapons of mass destruction across the world.”³⁵

North Korea confessed to have nuclear weapons program after the Assistant Secretary of State, James Kelly, had confronted Pyongyang over its uranium enrichment program during his trip to the country in October 2002. North Korea's newly revealed nuclear program violates not only the Agreed Framework of 1994, but also the NPT, the IAEA Safeguards Agreement, and the 1991-92 Joint North-South Declaration on the Denuclearization of the Korean Peninsula. Since the admission of having a parallel nuclear weapons program on an uranium basis, Pyongyang has rebuffed any U.S., South Korean, and Japanese pressure for an immediate end to its nuclear ambitions.

In January 2003, North Korea pulled out of the nuclear NPT and in the same month it restarted its mothballed reactor at Yongbyon, north of Pyongyang, by reprocessing the 8,000 spent fuel rods that Pyongyang took out of storage. Although North Korea will probably need some time before it has sufficient highly-enriched uranium to make multiple nuclear warheads, Pyongyang has sufficient plutonium to do so as well as to construct much less powerful radiological bombs to sell them to international terrorist groups.

As it was the case back in the 1994 nuclear crisis, here, too, the U.S. has three options: 1) to impose (economic) sanctions; 2) to attack North Korea's nuclear facilities, or 3) to negotiate. Even though the present situation on the Korean peninsula may escalate again, the present crisis also provides an opportunity for a comprehensive constructive dialogue if North Korea cooperates with Washington and allows IAEA inspections. For the time being, unlike Iraq, Washington favors some diplomatic and economic pressure, but no concrete threats of military action

³⁵ See Richard Wolffe, *Financial Times*, November 1, 2002, p. 13, on the rather pragmatic and diplomatic policies of the Bush Administration on the Korean peninsula.

trying to persuade North Korea to give up its nuclear weapons program. Here again we can see a mix of bilateralism (U.S.-North Korea; U.S.-China), minilateralism (U.S.-South Korea-Japan), and multilateralism (six-party talks) in the U.S. foreign and security policies towards Pyongyang.

Looking ahead, U.S. can also offer a peace treaty to replace the armistice signed at the end of the Korean war (1953) and support North Korea with food, oil, and other shortages. Yet, whatever the U.S. decides to do in the forthcoming months, its actions will have implications for other regions as well as for the global non-proliferation and arms control policies.

For Washington, the room for maneuver and further concessions might be much smaller than many international commentators and Pyongyang seem to assume. Iran's declared willingness to sign the additional protocol, which, for instance, outlines a very robust inspection regime for all suspicious nuclear sites, will inevitably have consequences in the North Korean case too. This forthcoming inspection regime will be much more intrusive and comprehensive and allow on-site as well as *ad-hoc* inspection without any pre-warning of Iraq or North Korea in many cases. In this light, Pyongyang will have to accept a similar inspection regime (*ad-hoc* and every suspicious sites in the view of the IAEA) even though it did not agree with the former one which was much less intrusive. A less robust inspection regime — let's say a special one designed for North Korea — seems rather unrealistic and unwise because 1) it would undermine the global nature of the IAEA inspection regime, and 2) the U.S. Congress would never sign and support such a less robust inspection regime.

Furthermore, it is more than questionable whether the U.S. can agree on the withdrawal (in contrast to a reduction which the U.S. is already contemplating itself) of all 37,000 U.S. soldiers deployed in South Korea, for it would also question the U.S. deployments in Japan and therefore the entire security and defense policies in East Asia. Washington's

original message to North Korea — either abandon the nuclear program or submit to international economic isolation — did not work in the past. Why should it work now? That might be questionable especially in the light of ongoing tendencies of a widening split between Washington and its closest ally, South Korea, despite the fact that Seoul and Tokyo are close military allies of the U.S. and thus heavily depend on Washington's policies. They have already signaled that they (especially South Korea) will push ahead with their economic aid in exchange program for North Korea's pledge that it will abandon its nuclear weapons program even in the case of Pyongyang's unwillingness to submit to an effective inspection regime. That might not be acceptable to Washington and the international community given their global non-proliferation interests. Hence, Washington may opt again for more unilateral policy initiatives vis-à-vis Pyongyang in the mid-term perspective. Therewith, however, the Bush Administration can also open new fronts with China which is at present time not interested in any political or military escalations in its neighborhood because of its rising domestic problems.

Pyongyang's history of brinkmanship is not a reassuring indicator for its future cooperation policies either. Furthermore, Kim Dae Jung's "Sunshine-Policy" is more popular abroad than at home where it has often been criticized as a one-way street of cooperation. Indeed, the new revelation of North Korea's secret nuclear weapons program is the contrary of trust as the basis of the Sunshine-Policy of the South Korean President. Furthermore, North Korea's confession also undermined the former "Sunshine"-policies of South Korea. Seoul's future economic cooperation with North Korea, such as the restoration of railway links across the heavily militarized border can end and lead to a hardened stance in Seoul vis-à-vis North Korea, and to unpredictable developments on the Korean peninsula (though I personally expect some continued pragmatism on Seoul's side becoming more dependent on North Korea's willingness to cooperate on sensitive security issues, such as the demilitarization of the borders).

The suspension of the KEDO-program and the light water reactor project of November 4, 2003 indicated that the Bush government has no interest in negotiating yet another agreement with North Korea similar to the 1994 pact after Pyongyang admitted that it did not live up to the previous one. However, at the same time, it is the only present framework that legitimizes IAEA inspections in North Korea. Giving up the agreement would also mean ending the shipments of fuel oil, which would exacerbate North Korea's economic crisis and stop the building of the two LWRs. There are still many questions concerning North Korea's nuclear weapons program itself. The DPRK's decision to enrich uranium rather than plutonium has both advantages and disadvantages. On the one hand, uranium is more reliable and easier to hide. On the other hand, it is harder to miniaturize a nuclear warhead and mount it on a missile. North Korea's plan is to build a series of centrifuges to separate weapons-grade uranium from lower-grade uranium. Whether North Korea already has those centrifuges, cannot be confirmed or denied despite the information that Pakistan was a major supplier of critical equipment of the DPRK's newly revealed clandestine nuclear weapons-grade program.³⁶ Reportedly, North Korea conducted uranium enrichment experiments between last July and August 2002 at one of its secret installations.³⁷ This also raises the question of how a financially dilapidated country was able to proceed with a plan that requires billions of U.S. dollars. According to nuclear experts, a uranium enrichment facility costs some \$1.3 billion to build.³⁸ Meanwhile, the PRC concluded that the DPRK obtained enough uranium from a second clandestine program to make several more devices.³⁹

³⁶ See David E. Sanger and James Dao, "U.S. says pakistan gave technology to north korea," *The New York Times*, October 17, 2002, <www.nytimes.com> (Search Date: October 17, 2002).

³⁷ See *Korea Now*, November 2, 2002, p. 11.

³⁸ *ibid.*

³⁹ See Michael Sheridan, *London Sunday Times*, October 27, 2002.

Ultimately, only full and free inspections going beyond the limited access could establish the full scope of any DPRK nuclear weapons program. PR China, for instance, has reportedly warned the U.S. that the DPRK has not only 1 or 2 nuclear warheads, but already 3-5 working nuclear weapons (or at least the fissile material to build them very quickly). Whether Pyongyang already has operational warheads (free falling bombs or those for its ballistic missiles) or is just “entitled to have powerful countermeasures, including nuclear weapons,” as an official North Korean broadcast commentary pointed out⁴⁰, is unclear. But, any inspection regime in North Korea similar to the one now assumed for Iran may include not less than almost 12,000 caves in which a secret uranium enrichment program or a covert plutonium effort can be hidden. Unlike in Iraq, where inspections were conducted between 1991 and 1998, there has been only one routine inspection of Pyongyang’s declared facilities. This inspection was conducted over a decade ago. Even a “phased approach” notwithstanding the Bush Administration’s new offer of multilateral security guarantees (or assurances) remains “conditioned on a verifiable progress” of North Korea’s nuclear weapons dismantlement which at the end is non-negotiable. For the time ahead it seems rather impossible that North Korea will ever accept *ad-hoc* inspections of all suspicious sites wherever they are. Ultimately, what the U.S. and the IAEA demand from North Korea is nothing less than to turn the currently closed political system into a total transparent country over night. A less intrusive inspection regime is not realistic either. The IAEA-inspection regime is of global nature and would create new double standards for the already global arms regimes in crisis.⁴¹

⁴⁰ See *Global Security Newswire*, November 19, 2002.

⁴¹ See also my interview in “NK [North Korea] Crisis Will Make or Break Global Arms Control,” in *Korea Times*, November 25, 2003, and Frank Umbach, “Atommacht Nordkorea – was tun?”

Meanwhile, North Korea demands three conditions for any peaceful settlement of the new crisis:

- (1) The U.S. needs to recognize DPRK's sovereignty;
- (2) Washington assures the DPRK non-aggression, and
- (3) The U.S. does not hinder the economic development of the DPRK.

While these North Korean conditions can be fulfilled in one way or the other, it remains uncertain whether Pyongyang will cooperate with the IAEA to establish a comprehensive inspection regime, and whether Pyongyang will give up its newly revealed nuclear weapons program. Washington has neither the desire nor the sole capability to sign and ratify a peace treaty incorporating North Korean demands. Any ratification of a peace treaty to officially end the Korean War requires a two-thirds majority in Congress which is unthinkable for the time being given North Korea's ambivalent policies. Despite the U.S. offer of multilateral security assurances, it remains questionable whether North Korea will perceive them as real security guarantees that the U.S. will not strike preemptively in whatever circumstances. Such a real belief in written security guarantees (Washington offers "*assurances*" only) contradicts North Korea's *juche*-ideology and its basic mistrust against all U.S. policies. Pyongyang seems to interpret U.S. policies on the Korean peninsula through the prism of the U.S.-Iraq war including two major steps: first, disarming North Korea and second, aiming for regime change in Pyongyang. Indeed, a non-aggression pact may only be of symbolical importance to North Korea. In the June 2001 issue of *Kunin Saengwhal* ("Soldiers Life"), an internal publication of the North Korean military, Kim Jong Il already told his soldiers:

“Lessons of the past make it clear that dramatic measures such as treaties and agreements cannot prevent a war and cannot secure peace. Even in the case we establish diplomatic relations with the United States in the future and change the armistice into a peace treaty, that fact will remain unchanged. The American imperialists had diplomatic relations with Iraq and Yugoslavia for several decades. But once these imperialists came to dislike them, they attacked those countries, turning them into rubble over night.”⁴²

Moreover, multilateral security guarantees for North Korea may also undermine the bilateral security alliances of the U.S. with South Korea and Japan.⁴³ One of the most well-known and internationally respected Japanese security experts, Masashi Nishihara, president of *Japan's National Defense Academy*, argued against those multilateral security guarantees last August:

“In the past the DPRK has demanded such an agreement in return for its renouncing its nuclear weapons program and permitting full inspections of its nuclear facilities. But, this is a dangerous offer that could eventually backfire on the United States. Washington should not sign a pact stating that it has no intention launching a nuclear attack on the DPRK. A non-aggression pact would be extremely risky. First, how would the signatories ensure that the on-site inspections of suspected facilities were complete and that the DPRK had in fact abandoned its nuclear arms programs? Second, once a non-aggression pact was signed, Pyongyang might demand the withdrawal of American troops from ROK. It would argue that an American presence on the Korean peninsula was no longer needed now that both sides had promised not to wage war

65-68.

⁴² The document was revealed by Yossef Bodansky, director of the U.S. Congressional Task Force on Terrorism and Unconventional Warfare, in an article in *Defense & Foreign Affairs Strategic Policy* earlier this year. Here quoted as in Danny Gittings, “North Korea’s Trojan Horse,” *Wall Street Journal Europe*, AugU.S.t 21, 2003.

⁴³ On the background of the U.S.-Japanese security alliance see also Frank Umbach, “The Future of the U.S.-Japanese Security Alliance,” in Manfred Mols and Joern Dosch (eds.), *International Relations in the Asia-Pacific*, *op. cit.*, pp. 111-154.

against each other. Moreover, the ROK public would be likely to support the DPRK's demand. Third, if the American troops left ROK, Pyongyang would appeal to its ROK 'brothers' to call for a united Korea without a U.S. role. In addition, some Japanese, particularly those in Okinawa, would probably argue that American bases in Okinawa ought to be downgraded or closed. Finally, and most important, a non-aggression pact between the DPRK and the U.S. would conflict with the Japan-U.S. Security Treaty. A DPRK without nuclear weapons would still possess biological and chemical weapons and could use them to attack Japan. In such an event, the U.S. forces in Japan could not help defend Japan in accordance with their bilateral treaty, since the U.S. would already have promised not to attack North Korea. Facing that possibility, Tokyo could no longer rely on its alliance with Washington and this might decide to develop its own retaliatory nuclear weapons. Instead of a non-aggression pact, the U.S., together with Japan and ROK, should offer diplomatic recognition to Pyongyang."⁴⁴

As some commentators and experts pointed out, the nuclear issue will not be solved except in the context of a broad Korean settlement, in which all the regional powers must be involved in one or the other way, and in which only a grand bargain with North Korea can be successful.⁴⁵ North Korea has more cards to play than just the nuclear one given its stockpile of chemical weapons and at least the capability to produce also biological weapons in a short time. In order to enhance its operational capability to ABC-warfare, North Korea created chemical warfare platoons at the regiment level. With its eight factories to produce chemical weapons and other facilities to produce biological weapons⁴⁶, North Korea (which is party to the Biological Weapons Convention/BWC, but not to the Chemical Weapons Convention/CWC) is able to conduct simultaneous chemical and biological attacks on both the front and rear of South

⁴⁴ Mashi Nishihara, "North Korea's Trojan Horse," *The Washington Post*, August 14, 2003.

⁴⁵ See Michael O'Hanlon and Mike Mochizuki, "Toward a Grand Bargain with North Korea," *Washington Quarterly* (Autumn 2003), pp. 7-18.

⁴⁶ See Lee Sung-yul, *The Korea Herald*, January 1, 1997, p. 2.

Korea with various delivery systems, such as artillery, multi-rocket launchers, Scud-missiles as well as aircraft.⁴⁷

Theoretically, it is not to exclude that North Korea will give up its nuclear weapons program after a lengthy and frustrating negotiation process with the U.S. However, the North Korean leadership might have no interest at all in releasing the military pressure on South Korea at its common border given its overriding regime interests to survive and maintain some leverage towards Seoul and the U.S. Hitherto, North Korea has not honored any international agreements and treaties and will, therefore, hardly rely on any peace treaty with the U.S. guaranteeing North Korea not to be attacked in the future. Hence, it seems very questionable whether Pyongyang will give up not only its nuclear weapons program but also its chemical and biological weapons arsenal.

Although most commentators interpreted North Korea's confession as a sign of weakness and a perverse but typical North Korean brinkman ship strategy to create another crisis in order to pull a reluctant Bush Administration into serious dialogue with the regime, it remains to be seen whether this "rapprochement by confession" (Alexandre MY. Mansourov⁴⁸) will work. Furthermore, any U.S. attempt to use the weapon of economic sanctions in order to push North Korea to give up its nuclear weapons program is controversial, risky and doomed to fail. Washington might get the opposite of what it initially tried to achieve: undermining further North's Korea economy and social situations which can lead to a collapse and widespread unrest. Yet, it is also uncertain whether North Korea plays on time.

Until now, North Korea has not promised to suspend its nuclear program nor has it mentioned receiving IAEA inspectors. Pyongyang might also have miscalculated the reaction of Washington, Seoul, and Tokyo

⁴⁷ See *The Korea Herald*, August 15, 1996, p. 9 and "North Korea. A Potential Time Bomb," *Jane's Intelligence Report*, Special Report No. 2 (1994), p. 8.

by showing its frustration after its admission of an continuing nuclear program. In many ways, Pyongyang's negotiation environment has rather deteriorated given Japan's reaction to Pyongyang's admission of abductions and Washington's future policies which will without doubt be harsher and tougher and amount to the complete surrender of all North Korea's remaining negotiation cards. China's policies are also characterized by concern and anger about its former military ally which has resulted in an unprecedented pro-active policy that is even willing to use its economic leverage (like the suspension of oil deliveries to North Korea last February).

Therefore, a new crisis ahead seems almost inevitable in the next years. In this light, it becomes more than important that the trilateral Seoul-Tokyo-Washington axis agrees on a grand policy strategy of what to do with Pyongyang, as each of the three has common, but also different, short- and long-term interests to follow in the forthcoming months. How long the U.S. will apply bilateral, minilateral, and multilateral approaches in Northeast Asia depends on U.S. common strategic interests and domestic policies. U.S. policies were based on the fact that Washington believed that time is on its side and that it can simply wait for North Korea to collapse. As Marcus Noland has stated: "If regime change is the strategy, *sitzkrieg* is the tactic."⁴⁹ Correspondingly, the Bush Administration dismissed any North Korean claims that it has restarted its nuclear weapon program at Yongbyon by reprocessing previously sealed and monitored fuel spent to extract plutonium for a nuclear weapons option. This might be another intelligence failure like the one with the Taepodong missile launch in August 1998 when U.S. intelligence dismissed information that North Korea was able to launch a three-stage ballistic missile.

⁴⁸ Alexandre MY. Mansourov, "The Kelly Process, Kim Jong Il's Grand Strategy, and the Dawn of a Post-Agreed Framework Era on the Korean Peninsula," *NAPSNET-Special Report*, October 22, 2002.

⁴⁹ Marcus Noland, *Financial Times*, January 23, 2004, p. 17.

During a brainstorming conference on the new nuclear crisis in North Korea, four future scenarios were discussed in October 2002.⁵⁰ Characteristically for the present stalemate, all four scenarios led to some sort of crisis with the existing Agreed Framework:

- (1) “*Gridlock*”: the Agreed Framework collapses and North Korea pursues its nuclear weapons program undeterred. Japan and South Korea may follow suit. The NPT collapses and Washington favors to have nuclear-armed allies.
- (2) “*Great Leader III*”: the U.S. wants to end the Agreed Framework while Seoul wants to maintain it which leads eventually to a break of the bilateral alliance. The result could be a growing U.S. disengagement in Northeast Asia while South Korea moves closer to China and North Korea.
- (3) “*Phoenix*”: the Agreed Framework collapses, but China prevails upon the U.S. not to respond militarily. Beijing and Washington cooperate to isolate North Korea economically and politically. It could lead to an implosion/collapse of North Korea and a German-style re-unification process with South Korea.
- (4) “*Rainbow*”: the crisis can be averted through new negotiations, resulting in a normalization of relations with North Korea in exchange for a verifiable end to North Korea’s nuclear program. This leads to an overall reduction of regional tensions and an in-

⁵⁰ Timothy Savage, “Pyongyang’s Dangerous Game,” *NAPSNET-Special Report*, October 24, 2002.

flow of development aid from many countries in the region and beyond.

In this light, one might follow the Russian expert Pavel Felgenhauer who remarks skeptically: “The Cold War non-proliferation region is virtually dead today. The new U.S. doctrine of preventive non-proliferation has yet to prove its effectiveness, while the nightmare of a multipolar nuclear world is materializing.”⁵¹

Although the Bush Administration follows a pragmatic and cooperative approach towards North Korea, it remains to be seen whether Pyongyang will be forthcoming with concrete cooperation with the U.S. and the IAEA. Then again, although almost all military options seem to be excluded as too dangerous, Washington might feel forced to take unilateral approaches rather than present minilateral or multilateral approaches to “solve” the new North Korean crisis if Seoul and Tokyo decide to adopt policies different from Washington. Hence, a close cooperation among Washington, Seoul, and Tokyo is the most important prerequisite for any future negotiations with North Korea. For Pyongyang, its 2003 policies of the nuclear crisis apparently failed to accomplish anything more than ensuring the regime’s survival. For the future that might not be enough – neither for Pyongyang, nor for Beijing or anybody else in the Six-Party Talks or in the region and beyond. Meanwhile, Pyongyang is even disputing that it has ever admitted to have an enriched uranium program. This has strengthened doubts in South Korea and Beijing whether North Korea has really a covert program to enrich uranium for nuclear weapons. A recent private U.S. delegation in North Korea could only confirm that the spent fuel facility was empty and that

⁵¹ Pavel Felgenhauer, “Multipolar nuke nightmare,” *The Moscow Times*, October 24, 2002.

the 8,000 spent fuel rods indeed were removed to a new unknown place. One member of this group, Siegfried Hecker (former director of the U.S. nuclear research center in Los Alamos), is convinced that the North Koreans have the equipment and the expertise for reprocessing as well as enriching uranium in order to produce plutonium which they already did. However, he is still not convinced that the North Koreans also have the expertise to build nuclear warheads for missiles themselves.⁵² At the same time, the U.S. intelligence credibility is also increasingly being questioned in regard to North Korea's nuclear ambitions and capabilities given the Iraq intelligence debacle on Baghdad's arsenal of WMD which couldn't be found until now.

In the meantime, Washington and Pyongyang seem willing to begin their Six-Party-Talks without a joint statement agreed on in advance, albeit an open-ended session could result in little movement by either side if no timeline for conclusion will be established. The best case scenario under these extremely difficult circumstances is the hope that the next Six-Party-Talks will result in a more regular and institutionalized process that could last for months if not years without such a timeline. Yet, given the domestic policies and the impacts of the nuclear crisis beyond the Korean peninsula it remains uncertain whether the rest of the world, including People's Republic China, will have the patience to wait until a fundamental change of thinking and policies emerges in North Korea as it has recently happened in Libya and Iran (as it looks now).

V. Conclusions and Perspectives

⁵² See Jim Yardley, "Group of Private U.S. Experts Visits North Korea Nuclear Plant," *The New York Times*, January 10, 2004, <www.nytimes.com> (Search Date: January 10, 2004), and Andrew Tully, "North Korea: U.S. Nuclear Expert Finds no Hard Evidence of a Bomb," *Radio Free Europe/ Radio Liberty Feature Articles*, January 22, 2004.

“The greatest danger posed by the new shape of Asia, especially for status quo powers such as the United States and Japan, is that populist pressures and changing technology will incite a destabilizing struggle over the regional balance of power. The perils implicit in such a struggle are especially acute because Northeast Asia, unlike Europe or even Southeast Asia, has no regional institutions capable of muting paranoid perceptions and setting mutual goals.”⁵³

For the time being, only a new multilateral organization for the Korean peninsula or the entire Northeast Asian region, based on the former existing foundations and structures, such as the 1994 Agreed Framework, KEDO and the 2+2 forum and track-2 security dialogue forums, may offer a realistic framework for the months and years to come. Within such a new regional, multilateral security structure, the U.S. has the freedom to conduct a varying mix of unilateralist, bilateralist, multilateralist, and multilateralist approaches vis-à-vis Pyongyang depending on the specific and different security problems to solve, such as persuading North Korea not only to give up its nuclear weapons programs but also its chemical and biological ones as well as the export of ballistic missiles, and to demilitarize the common border with its southern brethren. Hence, the future security order in Northeast Asia is likely to be multi-layered, involving various elements of unilateral military preparedness, alliance structures, bilateral diplomatic instruments, and new multilateral institutions for dialogue as well as consultation with regional organizations for promoting economic interaction and managing concrete security problems, such as North Korea’s nuclear aspirations. A more far-reaching concept of multilateralism establishing a real “security community” (such as NATO in Europe) is based on a wide-ranging and deep identification between its members which is transcending military

⁵³ Kent E. Calder, “The New Face of Northeast Asia,” *Foreign Affairs*, Vol. 80, No. 1 (January-February, 2001), pp. 106-119 (121).

and strategic as well as general economic considerations. At present, however, such a future seems still far away in Northeast Asia.

In regard to the unstable situation on the Korean peninsula, North Korea's declared nuclear weapon's program and the uncertainties around the future Six-Party-Talks, all unresolved security issues ultimately boil down to the North Korean regime interests and its survival which complicate and hinder a peaceful "great solution" for the Korean peninsula. Although the hard-line and sometimes confrontational approach of the Bush Administration has hindered and complicated a peaceful solution of the unresolved security problems on the Korean peninsula during the last three years, at the same time, the ability of North Korea to play diplomatic games or conduct blackmail policies on security issues has decreased considerably during the last two years.

Despite the numerous track-two channels existing in East Asia, regional countries in Northeast Asia have still different concepts of what regional co-operation means and how it can be achieved. Furthermore, multilateralism in itself is not a "magical formula" for transforming power politics automatically into co-operative international behavior and corresponding strategies in order to solve regional security dilemmas. Yet, regional co-operation creates norms and rules for interstate behavior needed to establish institutions to manage specific security conflicts, depending on the right circumstances and pre-conditions, such as the political will of all its members (like encouraging a great security and military cooperation between Japan and South Korea). Nonetheless, this is precisely the reason why a permanent sub-regional security organization is so much needed in North-East Asia.

Furthermore, the future of multilateral co-operation in Northeast Asia seems largely in Chinese hands. Although Beijing views multilateralism in a more positive light than it was the case in the mid-1990s, and although Beijing has made positive experience in achieving its aims and objectives not just on bilateral levels, China's policies are still deter-

mined by strong principles about sovereignty and non-interference in domestic affairs for historical reasons, and its ambitions for a “great power” status. In this context, multilateralism seems both impossible and inevitable for China. Yet, as Paul Evans and Akiko Fukushima rightly argue: “It will only be inevitable if China will it so.”⁵⁴

The present crisis on the Korean peninsula can be seen as the most important litmus test for China’s evolving and changing foreign and security policies as well as the question whether and to which extent China is willing to take over regional and global responsibility for international crisis management. While China’s policies on the Korean peninsula have become more active and with Beijing’s perceptions of North Korea as a potential security liability, indicated by the severely strained bilateral relationship with North Korea during the last years, a divided Korea has still advantages for China which explains that Beijing is at present preferring the unstable status quo instead for opting for a regime change. Whatever the outcome of the recent crisis on the Korean peninsula will be in the next months, it will lead to long-term changes in Beijing’s policies towards the Korean peninsula, China’s foreign and security policies in general and the future multilateralism in Northeast-Asia.

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⁵⁴ Paul Evans and Akiko Fukushima, “Northeast Asia’s Future Security Framework,” *op. cit.*, p. 35.

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